

SECOND REGULAR SESSION

SENATE BILL NO. 1065

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

Read 1st time January 31, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4697S.011

AN ACT

To repeal sections 306.125 and 306.903, RSMo, and to enact in lieu thereof two new sections relating to watercraft safety, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 306.125 and 306.903, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 306.125 and 306.903, to read as follows:

306.125. 1. [Every person shall operate a motorboat, in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care.] **A person commits the crime of careless and imprudent operation of a vessel or watercraft if:**

(1) While operating a vessel or watercraft he or she knowingly fails to exercise the highest degree of care and in so doing endangers the property of another or the life and limb of any person;

[2. No person shall operate] **(2) He or she knowingly operates a [motorboat,] vessel or watercraft at any time from a half-hour after sunset until an hour before sunrise [the following day] at a speed exceeding thirty miles per hour. This subsection shall only apply to the waters of the Mississippi River, the waters of the Missouri River, and lakes with an aggregate shoreline in excess of one hundred sixty miles[.];**

[3. Vessels shall not be operated] **(3) He or she knowingly operates a vessel less than thirty feet in length within one hundred feet of any dock, pier, or occupied anchored [boat or buoyed restricted area on any lake] vessel or watercraft at a speed in excess of slow-no wake speed[.];**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 **(4) He or she knowingly operates a vessel thirty feet in length or**
20 **greater within three hundred feet of any dock, pier, or occupied**
21 **anchored vessel or watercraft at a speed in excess of slow-no wake**
22 **speed.**

23 **2. The provisions of this section shall not apply to members of**
24 **the state water patrol, or to law enforcement officers, or to emergency**
25 **personnel operating any vessel or watercraft when such person is**
26 **responding to an emergency call, a law enforcement investigation or**
27 **other authorized law enforcement activity, nor shall the provisions of**
28 **this section apply to the operator of a vessel or watercraft being**
29 **operated as an entry in a motorboat or other watercraft race as**
30 **authorized and permitted under section 306.130.**

31 **3. Careless and imprudent operation of a vessel or watercraft is**
32 **a class B misdemeanor.**

33 **[4. Subsection 1 of this section shall not apply to a motorboat or other**
34 **boat race authorized under section 306.130.]**

 306.903. 1. [Any person who] **A person commits the infraction of**
2 **abandoning a boat dock if he or she knowingly** abandons a boat dock and
3 permits it to float freely [without being moored] upon [lakes having at least nine
4 hundred fifty miles of aggregate shoreline] **the waters of this state** [is guilty
5 of an infraction, the penalty for which shall be a fine of not less than twenty-five
6 dollars or more than one hundred dollars].

7 2. Any person who abandons a boat dock shall be responsible for the
8 retrieval and disposal of such boat dock. Any person who violates subsection 1
9 of this section and who does not properly retrieve and dispose of such abandoned
10 boat dock shall, upon a plea of guilty or a finding of guilt for such an offense, be
11 ordered to reimburse the appropriate law enforcement agency, including the state
12 water patrol, for the costs associated with the retrieval and disposal of the
13 abandoned boat dock. The law enforcement agency may establish a schedule of
14 such costs. However, the court may reduce the costs if it determines that the
15 costs are excessive.

16 3. The state water patrol may accept gifts, grants, in-kind services and
17 appropriations, and may enter into contracts with private or public entities for
18 the enforcement and administration of this section.

19 4. Beginning January 1, [1996] **2010**, any person owning a boat dock on
20 lakes having at least nine hundred fifty miles of shoreline **and lakes**

21 **constructed or maintained by the United States Army Corps of**
22 **Engineers except bodies of water owned by a person, corporation,**
23 **association, partnership, municipality or other political subdivision,**
24 **public water supply impoundments, and except drainage ditches**
25 **constructed by a drainage district, but not to include any body of water**
26 **which has been leased to or owned by the state department of**
27 **conservation** shall display identifying information on the dock, including but
28 not limited to, a permit number issued to the owner by an entity having authority
29 to issue such identification or permit number **and the appropriate "911" street**
30 **address nearest to the dock by land. A person commits the infraction**
31 **of failure to display identifying information on a boat dock if he or she**
32 **knowingly violates any of the provisions of this subsection.** [Any person
33 owning a boat dock on lakes having at least nine hundred fifty miles of aggregate
34 shoreline who violates this subsection may be guilty of an infraction, the penalty
35 for which shall not exceed twenty-five dollars.]

36 **5. Abandoning a boat dock in violation of subsection 1 of this**
37 **section and failure to display identifying information on a boat dock in**
38 **violation of subsection 4 of this section are infractions.**

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